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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/002,539	11/15/2001	Gerhard Pfeifer	5005.1012	3274	
23280	7590 05/06/2005		EXAMINER		
	DAVIDSON & KAI	ALEXANDER, LYLE			
485 SEVENTH AVENUE, 14TH FLOOR NEW YORK, NY 10018		ж	ART UNIT	PAPER NUMBER	
			1743		
•			DATE MAILED: 05/06/200	5	

Please find below and/or attached an Office communication concerning this application or proceeding.

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Advisory Action

Application No.	Applicant(s)	
10/002,539	PFEIFER ET AL.	
Examiner	Art Unit	
Lyle A. Alexander	1743	

Lyte A. Alexander Lyte A. Alexander Lyte	Advisory Action	10/002,339 PPEIFER ET AL.					
THE REPLY FILED 27 April 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. I. ★ The reply was filed after a final rejection, but prior to or not he same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavir, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal feet) in compliance with 37 CFR 4.1.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods: a) ★ The period for reply expires or: (1) the mailing date of this Advisory Action, of (2) the date set forth in the final rejection, whichever is later. In no examination set if the statistic period for reply expires or: (1) the mailing date of the final rejection. The period for reply expires or: (1) the mailing date of the final rejection. The period for reply expires or: (1) the mailing date of the final rejection, whichever is later. In no examination set if the statistic period for reply expires or: (1) the mailing date of the final rejection, whichever is later. In no examination set if the statistic period for reply expires or: (1) the mailing date of the final rejection, whichever is later. In no examination set if the mail of the statistic period for reply expires or: (1) the mailing date of the final rejection, whichever is later. In no examination of the statistic period for reply expires or: (1) the final set of the final rejection of the statistic period for reply expires or: (1) the final set of the final rejection of the final rejection and the corresponding amount of the fee. The appropriate extension feet under 37 CFR 1.13(e), and the period date and the corresponding amount of the fee. The appropriate extension feet under 37 CFR 1.13(e) and the corresponding amount of the feet. The appropriate extension feet the set of the final rejection, and the corresponding amount of	Before the Filing of an Appeal Brief	Examiner	Art Unit				
THE REPLY FILED 27 April 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. 1. The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies; (1) an amendment, affidavir, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 4.1.31; or (3) a Request for Confluended Examination (RCE) in compliance with 37 CFR 1.1.14. The reply must be filled within one of the following time periods: a) The period for reply expires 3 months from the mailing date of the final rejection. Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) wHEN THE FIRST REPLY WAS FILED WITHIN TWO CHECK BOX (b) wHEN THE FIRST REPLY WAS FILED WITHIN TWO CHECK BOX (b) which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed in the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed in the date for purpose of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 to down. If checked. Any reply increased by the fee from the date of filing a bride of the filing and the filing and the filing and the filing and the fee feed of the feed of the feed of the filing and the feed of filing and the filing and the feed of filing and the feed of filing and the f		Lyle A. Alexander	1743				
1. ☑ The reply was filled after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies (1) an amendment, affidavil, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods: a) ☑ The period for reply expires 3 months from the mailing date of the final rejection. b) ☐ The period for reply expires 2. months from the mailing date of the final rejection. Examines Note: If No. 11 is checked, check either box (a) or (6) O.NIX CHECK BOX (6) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MFEP 708.07(f). Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been flied is the date for purposes of determining the period of extensions and the corresponding amount of the fee. The appropriate extension fee have been flied is the date for purposes of determining the period of extensions and the corresponding amount of the fee. The appropriate extension fee have been flied is the date for purposes of determining the period of a region of the fee. The appropriate extension fee have been flied is the date for purposes of determining the period of appeal of the fee. The appropriate extension fee have been flied is the date for purposes of determining the period of appeal and or 10 flied in the feet of the filed within the second of the feet of the filed within the second of the feet of the filed of filing the Notice of Appeal was filed on	The MAILING DATE of this communication appe	ars on the cover sheet with the c	correspondence add	ress			
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MONTHS OF THE FINAL REJECTION. See MPEP 705.07(f). Extensions of time may be obtained under 37 CFR 1.136(a) The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filled is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply virginally set in the finice action; or (2) as set forth in (0) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any carned patent term adjustment. See 37 CFR 1.704(b). NOTICE OF APPEAL I The Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(c)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a). AMENDMENTS The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because (a) They raise new issues that would require further consideration and/or search (see NOTE below); (b) They raise not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) They are not deemed to place the application in better form for appeal by materially rejected claims. NOTE:	 The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods: a) The period for reply expires 3 months from the mailing date of the final rejection. b) The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. 						
been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is activated from: (1) the expiration date of the shortened statutory period for repty noignally set in the final Office action; or (2) as set forth in (0) above, if checked. Any reply received by the Office later than three months after the malling date of the final rejection, even if timely filed, may reduce any search patent term adjustment. See 37 CFR 1.704(b). NOTICE OF APPEAL. The Notice of Appeal was filed on	MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f)).					
Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a). AMENDMENTS 3. The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because (a) They raise new issues that would require further consideration and/or search (see NOTE below); (b) They raise the issue of new matter (see NOTE below); (c) They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) They present additional claims without canceling a corresponding number of finally rejected claims. NOTE: (See 37 CFR 1.116 and 41.33(a)). 4. The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324). 5. Applicant's reply has overcome the following rejection(s): Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s) is (or will be rejected is provided below or appended. 7. For purposes of appeal, the proposed amendment(s): a) will not be entered, or b) will be entered and an explanation of how the new or amended claim(s) is (or will be) as follows: Claim(s) allowed: none. Claim(s) objected to: none. Claim(s) objected to: none. Claim(s) objected to: none. Claim(s) objected to: none. Claim(s) withdrawn from consideration: AFFIDAVIT OR OTHER EVIDENCE 8. The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e). 9. The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence after the date of filing a Notice of Appeal, but prior to the d	Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b). NOTICE OF APPEAL 2. The Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of the date						
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Lyle A Alexander Primary Examiner Art Unit: 1743